

August 7, 2024

VIA ECF

Honorable Paul A. Engelmayer
United States District Court, Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Jane Street Group LLC v. Millennium Management LLC*, 24-cv-2783 (PAE)

Dear Judge Engelmayer,

Defendants submit this response to Plaintiff's letter motion for an extension (Dkt. 192, 195-1). Jane Street's motion was premature, as Jane Street proceeded with the motion before giving Defendants adequate time to consider the proposal or have a meet and confer.¹

Notwithstanding Jane Street's failure to meet and confer, based on Plaintiff's representation that it "is willing to provide Defendants with the custodians requested" (Dkt. 192 at 1)² and the volume of documents it assumes are within its review universe (Dkt. 192 at 3 n.6), Defendants have consented to the proposed schedule to avoid burdening the Court. For the avoidance of doubt, Defendants do not accept many of the representations in Jane Street's letter, but do not need to burden the Court with a point by point response. Defendants reserve all rights.

Defendants therefore respectfully request that the Court So Order the revised case management plan at Dkt. 195-2.

Respectfully submitted,

/s/ Rollo C. Baker

Rollo C. Baker
ELSBURG BAKER & MARURI PLLC
One Penn Plaza, Suite 4015
New York, NY 10119
rbaker@elsberglaw.com

*Counsel for Defendants
Douglas Schadewald and
Daniel Spottiswood*

/s/ May Chiang

May Chiang
DECHERT LLP
1095 Avenue of the Americas
New York, NY 10036
may.chiang@dechert.com

*Counsel for Defendant
Millennium Management LLC*

¹ Jane Street notified Defendants of its request for an extension at 9 pm on August 1, asking for a response the next day by 12 pm. When Defendants advised that Jane Street that they were amenable to an extension but would need further time to consider the proposal, Jane Street instead informed Defendants that it would be proceeding with the motion and filed on August 2.

² Jane Street had not previously notified Defendants that it was willing to agree to the narrowed set of custodians that Defendants requested on July 22. Prior to Plaintiff's August 2nd letter to the Court, it had only agreed to add two custodians and expressed its view that the remaining eight primarily relevant to the trading strategies were "unnecessary."

